

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58219 of 2025

Arising Out of PS. Case No.-198 Year-2021 Thana- CHIRAIYA District- East Champaran

Shubh Narayan Ram S/o Jaglal Ram R/o Village - Mishrauliya, P.S -
Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Geeta Kumari, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-08-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Chiraiya P.S. Case No. 198 of 2021, dated 22.07.2021,
registered under Section 392 of the Indian Penal Code.

3. The prosecution case, in brief, is that that on
21.07.2021 at about 10:45 P.M when the informant was coming
to Motihari in connection with engagement of his Bhagina and
as soon as the informant reached near the petrol pump at
Misraulia, three unknown assailants stopped the informant and
took away the key of the motorcycle. The assailants also abused
and assaulted the informant and took away the motorcycle of the
informant. The said motorcycle bearing Registration No.
BROSY-5592 was in the name of informant's Bhagina Rajesh
Kumar.



4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The name of the petitioner has surfaced on the confessional statement of co-accused Khobari Rai, as mentioned in paragraph-53 of the case diary and there is no recovery of any incriminating material from the conscious possession of the petitioner, which negates the complicity of the petitioner in the said occurrence. It is further submitted that the name of the petitioner has surfaced on the confessional statement of co-accused Khobari Rai, who has already been granted privilege of bail by the learned trial court itself.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Taking into account the fact that the name of the petitioner has surfaced on the confessional statement of co-accused Khobari Rai, who has already been granted privilege of bail by the learned trial court itself and nothing incriminating material has been recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned Judicial Magistrate,



East Champaran, Motihari in connection with Chiraiya P.S. Case No. 198 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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